

FILED BY JE D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 AUG 30 PM 4: 10
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 02-20448 D

v.

**WILLIEANN MADISON and
JOHN E. MADISON,**

Defendants.

ORDER DENYING PETITION FOR FEES

Before the Court is the petition of Tony L. Axam for attorney's fees. Mr. Axam seeks \$150,000.00 in attorney's fees and costs owed from representation of Defendants from assets in which the Government assert a lienhold interest. The Government filed a response in opposition to the motion averring that the court's February 7, 2005 Order of Forfeiture divested the Madisons of interest in the subject assets and vested interest in the United States.

Upon review of the motion, response, and the case record as a whole, the Court finds that:

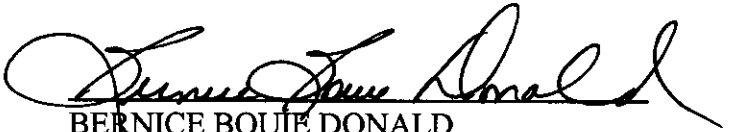
1. Pursuant to 21 U.S.C. § 853(n)(6), Mr. Axam has not met the standards to assert a third party claim as to the subject assets;
2. The Madisons' right to interest in the assets is subordinate to the rights or interest of the United States; and
3. The Madisons may not satisfy their legal obligations from assets/funds belonging to the Government.

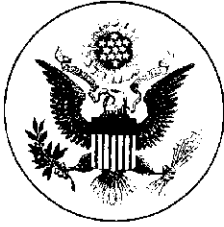
This document entered on the docket sheet in compliance
with Rule 55 and/or 32(b) FRCP on 8/30/05

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Accordingly, the motion/petition for attorney's fees is DENIED.

IT IS SO ORDERED this 30th day of August, 2005.


BERNICE BOUIE DONALD
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 470 in case 2:02-CR-20448 was distributed by fax, mail, or direct printing on September 7, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT